CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to:

> "Commissioner for Patents" P.O. Box 1450 Alexandria, VA 22313-1450

UNUS #98-0032-A-UNI CASE #F7420(V)

PATENT

on February 6, 2006

Gerard J. McGowan, Jr.

February 6, 2006 Date of Signature

Reg. No. 29,412 Attorney for Applicant(s)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Van Buuren et al.

SERIAL NO.:

10/635,711

FILED:

August 6, 2003

FOR:

Olive Oil Containing Food Composition

GROUP:

1761

EXAMINER:

Carolyn Paden

ENGLEWOOD CLIFFS, NEW JERSEY 07632

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeals to the Board of Appeals from the decision dated October 4, 2005 of the Primary Examiner final rejection of claims 1-4.

The item(s) check below are appropriate:

A timely response to the final Rejection has been filed.

X An Extension of Time to respond to the Final Rejection was requested for one month.

An Extension of Time to file a Notice of Appeal was granted for one month(s).

[X] Charge statutory fee of \$500.00 to Deposit Account No. 12-1155. Please charge any additional fees or credit overpayment to Deposit Account No. 12-1155. This request is being submitted in triplicate.

> Gerard J. McGowan, Jr. Attorney for Applicant Registration No. 29,412

/gjm 201-894-2297